

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In particular types of cases or circumstances, such as bankruptcy cases that are not filed voluntarily by a debtor, there may be exceptions to these general rules.

---- DEFINITIONS ----

Debtor

The person, corporation, or other entity that has filed a bankruptcy case is called the debtor.

Creditor

A creditor is any person, corporation, or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed.

Proof of Claim

A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim). This form must be filed with the clerk of the bankruptcy court where the bankruptcy case was filed.

Secured Claim

A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property.

Examples of liens are a mortgage on real estate and a security interest in a car, truck, boat, television set, or other item of property. A lien may have been obtained through a court proceeding before the bankruptcy case began; in some states a court judgment is a lien. In addition, to the extent a creditor also owes money to the debtor (has a right of setoff), the creditor's claim may be a secured claim. (See also *Unsecured Claim*.)

Unsecured Claim

If a claim is not a secured claim it is an unsecured claim. A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full.

Unsecured Priority Claim

Certain types of unsecured claims are given priority, so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims). The most common types of priority claims are listed on the proof of claim form. Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as *Unsecured Nonpriority Claims*.

Items to be completed in Proof of Claim form (if not already filled in)

Court, Name of Debtor, and Case Number:

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the name of the debtor in the bankruptcy case, and the bankruptcy case number. If you received a notice of the case from the court, all of this information is near the top of the notice.

Information about Creditor:

Complete the section giving the name, address, and telephone number of the creditor to whom the debtor owes money or property, and the debtor's account number, if any. If anyone else has already filed a proof of claim relating to this debt, if you never received notices from the bankruptcy court about this case, if your address differs from that to which the court sent notice, or if this proof of claim replaces or changes a proof of claim that was already filed, check the appropriate box on the form.

1. Basis for Claim:

Check the type of debt for which the proof of claim is being filed. If the type of debt is not listed, check "Other" and briefly describe the type of debt. If you were an employee of the debtor, fill in the last four digits of your social security number and the dates of work for which you were not paid.

2. Date Debt Incurred:

Fill in the date when the debt first was owed by the debtor.

3. Court Judgments:

If you have a court judgment for this debt, state the date the court entered the judgment.

4. Total Amount of Claim at Time Case Filed:

Fill in the applicable amounts, including the total amount of the entire claim. If interest or other charges in addition to the principal amount of the claim are included, check the appropriate place on the form and attach an itemization of the interest and charges.

5. Secured Claim:

Check the appropriate place if the claim is a secured claim. You must state the type and value of property that is collateral for the claim, attach copies of the documentation of your lien, and state the amount past due on the claim as of the date the bankruptcy case was filed. A claim may be partly secured and partly unsecured. (See DEFINITIONS, above).

6. Unsecured Nonpriority Claim:

Check the appropriate place if you have an unsecured nonpriority claim, sometimes referred to as a "general unsecured claim". (See DEFINITIONS, above). If your claim is partly secured and partly unsecured, state here the amount that is unsecured. If part of your claim is entitled to priority, state here the amount **not** entitled to priority.

7. Unsecured Priority Claim:

Check the appropriate place if you have an unsecured priority claim, and state the amount entitled to priority. (See DEFINITIONS, above). A claim may be partly priority and partly nonpriority if, for example, the claim is for more than the amount given priority by the law. Check the appropriate place to specify the type of priority claim.

8. Credits:

By signing this proof of claim, you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor.

9. Supporting Documents:

You must attach to this proof of claim form copies of documents that show the debtor owes the debt claimed or, if the documents are too lengthy, a summary of those documents. If documents are not available, you must attach an explanation of why they are not available.

BAE SYSTEMS

Enterprise Systems Incorporated
11487 Sunset Hills Road
Reston, Virginia 20190-5234

CERTIFICATE OF SERVICE

District/off: 053L-2
Case: 01-16243

User: mb
Form ID: 1672

Page 1 of 1
Total Served: 33

Date Rcvd: Apr 14, 2004

The following entities were served by first class mail on Apr 16, 2004.

db Bridgett G. Ketchens, 441 N.W. 3rd Street #13, Reserve, LA 70084
db Roland a. Ketchens, Sr., 441 N.W. 3rd Street #13, Reserve, LA 70084
aty Warren G. Lott, 701 North Causeway Boulevard, Metairie, LA 70001
aty Wendy A. Geurin, 200 Jefferson, Suite 1450, Memphis, TN 38103
tr Aaron E. Caillouet, 104 Acadia Lane, Thibodaux, LA 70301
smg Collector of Revenue, City of New Orleans, City Hall Annex, New Orleans, LA 70112
smg Delinquent Accounts Unit, La. Department of Labor, Office of Regulatory Services,
P.O. Box 44127, Baton Rouge, LA 70804
smg Louisiana Department of Revenue, Collection Division/Bankruptcy Section, P. O. Box 66658,
Baton Rouge, LA 70896-9988
smg U. S. Attorney's Office, 501 Magazine Street, Suite 210, New Orleans, LA 70130
ust Office of the U.S. Trustee, 400 Poydras Street, Suite 2110, New Orleans, LA 70130
1443390 Bottom Line Personal, Box 58417, Boulder CO 80322
1443391 C M Medical Service, 3223 8th Street, Suite A, Metairie LA 70002
1443392 Chrysler Financial Co., P O Box 7000, Covington LA 70434
1452706 Chrysler Financial Co., LLC, c/o Wendy A. Geurin, 200 Jefferson, Suite 1450,
Memphis, TN 38103
1453319 Chrysler Financial Co., LLC, P.O. Box 55000, Detroit, MI 48255-1003
1443393 Citifinance, 6601 Veterans Memorial Blvd, Suite 32, Metairie LA 70003
1443389 District Director IRS, 600 S Maestri, Mail Stop 18, New Orleans LA 70130
1443395 Dr Jones, 404 W Acadia Dr, Thibodaux LA 70301
1443396 Dr W Micheal Cooper, 1101 Audubon Ave Ste 3, Thibodaux LA 70301
1443397 Interface Security, 1127 Texas Ave, Suite 1, Alexandria LA 71301
1443398 J C Penny, P O Box 27570, Albuquerque NM 87125
1443399 Lloyd A Pizzalato DDS, 301 W Airline Hwy 200, Laplace LA 70068
1443400 Mathew Mathew, P O Box 636, Gramercy LA 70052
1443401 Mervyns, Retuters National Bank, P O Box 59316, Minneapolis MN 55459-0316
1443402 Providian Visa Card, P O Box 9539, Manchester NH 03108-9539
1443403 Quantum Health Care Medical, P O Box 1329, Pleasanton CA 94566-0213
1443404 River Parishes Hosp, 500 Rue De Sante, LaPlace LA 70068
1443405 Rodale Books, F O Box 7031, Emmares PA 18098-0731
1443409 Tax Collector Sheriff, Parish of St John the Baptist, Courthouse, Edgard LA 70049
1443406 Thibodaux Regional Hosp, 602 W Acadia Rd, Thibodaux LA 70301
1443407 Time Warner Cable, P O Box 310, Laplace LA 70069-0310
1443408 William L Wells, 4440 Magnolia St, New Orleans LA 70115

The following entities were served by electronic transmission on Apr 14, 2004 and receipt of the transmission was confirmed on:

1443394 E-mail: mrdiscen@discoverfinancial.com Apr 14 2004 20:13:16 Discovery, P O Box 30953,
Salt Lake City UT 84130-0953

TOTAL: 1

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr* Chrysler Financial Co., LLC, c/o Wendy A. Geurin, 200 Jefferson, Suite 1450,
Memphis, TN 38103

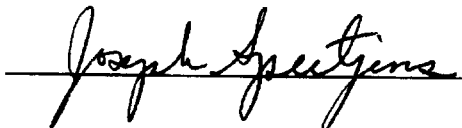
TOTALS: 0, * 1

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

First Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 16, 2004

Signature:



AFFIDAVIT OF
BRIDGETTE KETCHENS

UNITED STATES OF AMERICA
STATE OF LOUISIANA

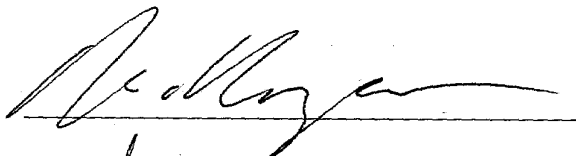
BE IT KNOWN that on this 13 day of April, 2005,

BEFORE ME, SUSAN EARNEST, Notary Public in and for the Parish of Orleans, State of Louisiana, came and appeared:

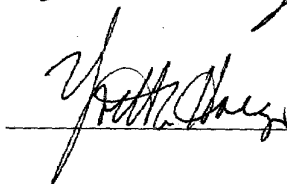
BRIDGETTE KETCHENS, a person of the full age of majority and a resident of the Parish of ST. JOHN, State of Louisiana, with a mailing address of 222 EAST 27TH STREET, RESERVE, LA 70084; Who, after being sworn, did depose and state:

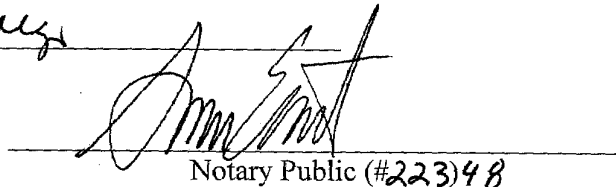
1. She is the debtor in the proceeding entitled "In re: Bridgette Ketchens, Debtor," case no. 01-13159 filed in the United States Bankruptcy Court for the Eastern District of Louisiana;
2. At no time did she intentionally conceal any information from the creditors or the Chapter 7 Trustee in her bankruptcy; and
3. As soon as she realized that the claim against Wyeth had not been disclosed she authorized her attorney to contact the Chapter 7 Trustee immediately with the information, and she has fully cooperated with the Chapter 7 Trustee requests for any information regarding the claim against Wyeth.

THUS DONE AND PASSED on the date aforesaid before MATTHEW MORGAN and YVETTE HARGIS, competent witnesses, who sign their names with the said appearer and me, Notary, after due reading of the whole.




BRIDGETTE KETCHENS




Notary Public (#223)48



AFFIDAVIT OF
ROLAND A. KETCHENS

UNITED STATES OF AMERICA
STATE OF LOUISIANA

BE IT KNOWN that on this 13 day of April, 2005,

BEFORE ME, SUSAN EARNEST, Notary Public in and for the Parish of Orleans, State of Louisiana, came and appeared:

ROLAND A. KETCHENS, a person of the full age of majority and a resident of the Parish of ST. JOHN, State of Louisiana, with a mailing address of 222 EAST 27TH STREET, RESERVE, LA 70084; who, after being sworn, did depose and state:

1. He is the debtor in the proceeding entitled "In re: Roland Ketchens, Debtor," case no. 01-13159 filed in the United States Bankruptcy Court for the Eastern District of Louisiana;
2. At no time did he intentionally conceal any information from the creditors or the Chapter 7 Trustee in his bankruptcy; and
3. As soon as he realized that his wife's claim against Wyeth had not been disclosed he authorized their attorney to contact the Chapter 7 Trustee immediately with the information, and he and his wife have fully cooperated with the Chapter 7 Trustee requests for any information regarding the claim against Wyeth.

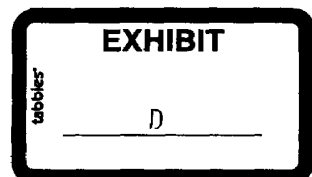
THUS DONE AND PASSED on the date aforesaid before MATTHEW MORGAN and YVETTE HARGIS, competent witnesses, who sign their names with the said appearer and me, Notary, after due reading of the whole.

[Signature]

Roland A. Ketchens
Roland A. Ketchens

[Signature]

[Signature]
Notary Public (#22)348



J
CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

STATE OF LOUISIANA

NO. 2003-4007

DIVISION "AD HOC"

JUDGE ROBERT BURNS

CRYSTALL GATLIN

VERSUS

AMERICAN HOME PRODUCTS CORPORATION, ET AL.

FILED: _____

DEPUTY CLERK


STIPULATION OF LIABILITY

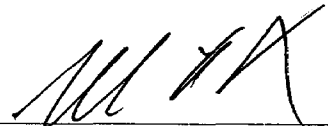
Wyeth¹ admits that its diet drugs Pondimin and Redux caused Crystall Gatlin's aortic heart valve injury.

Wyeth admits that it is liable for Crystall Gatlin's aortic heart valve injury.

The only issue to be decided by the jury is the sum of money that would reasonably and fairly compensate Crystall Gatlin.

Agreed and Approved as to Form and Substance, Signed this 22 day of February, 2005


Matthew Douglas
Counsel for Defendant Wyeth


Richard N. Laminack
Counsel for Plaintiff Crystall Gatlin

¹ f/k/a American Home Products Corporation

EXHIBIT

E

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN
DISTRICT OF LOUISIANA**

IN THE MATTER OF:

CASE NUMBER: 01-16243

SECTION B

KETCHENS, ROLAND
KETCHENS, BRIDGETT

DEBTOR (S)

CHAPTER 7

ORDER TO DISCLAIM

Considering the hearing set on March 30, 2005,

IT IS ORDERED that the Trustee's Motion to Disclaim (P-26) With Notice dated February 18, 2005, filed by Aaron Caillouet, Trustee, for purposes of disclaiming any and all interest in and to the following described property:

- Debtor's legal claim against Wyeth Company

as being burdensome to the estate, and/or of inconsequential value and benefit to the estate be confirmed and hereby approved; and let a certified copy of such petition and this Order suffice for all evidential and other legal purposes, including recordation when appropriate.

New Orleans, Louisiana, March 30, 2005.

J. A. Brown

Jerry A. Brown
U.S. Bankruptcy Judge

EXHIBIT

F

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE DIET DRUGS
(PHENTERMINE/FENFLURAMINE/
DEXFENFLURAMINE) PRODUCTS
LIABILITY LITIGATION**

MDL Docket No. 1203

**CATHY CHERAMIE,
BRIDGETTE KETCHENS, ET AL.**

CIVIL ACTION NO. 02-20131

VERSUS

**AMERICAN HOME PRODUCTS,
ET AL.**

STATEMENT OF UNCONTESTED MATERIAL FACTS


Plaintiff, Bridgette Ketchens, (hereinafter referred to as "Plaintiff/Debtor") respectfully submits the following statement of *additional* uncontested facts in opposition to Wyeth's motion for summary judgment and motion to dismiss under F. R. Civ. P. 17(a):

- (1) Roland A Ketchens, Sr. and Bridgette Ketchens bankruptcy case was reopened by order of the United States Bankruptcy Court for the Eastern District of Louisiana. See *Defendants'* Exhibit J, Document No. 17;
- (2) The United States Bankruptcy Court for the Eastern District of Louisiana granted the U.S. Trustee's motion to withdraw the erroneous report of no assets. See *Defendants'* Exhibit J, Document No. 17;
- (3) The creditors of Roland A. Ketchens, Sr. and Bridgette Ketchens were noticed that the Ketchens' bankruptcy case was an "asset" case and duly informed of their right to file proofs of claim. See *Defendants'* Exhibit J, Document No. 18;

- (4) On 02/18/05, the Trustee moved to abandon the claims to the debtor, Bridgette Ketchens. See *Defendants' Exhibit J*, Document No. 26;
- (5) No creditor objected to the Wyeth claims being returned to the debtor, Bridgette Ketchens. See *Defendants' Exhibit J*;
- (6) On 03/30/05, the United States Bankruptcy Court for the Eastern District of Louisiana approved the disclaimer and abandonment of property. See *Defendants' Exhibit J*, Document No. 28.

Respectfully submitted,

O'QUINN, LAMINACK & PIRTLE

 **SEE 5149**

SUSAN EARNEST, LA # 22348;
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And

JACOBS & SARRAT
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823 St. Louis Street
New Orleans, Louisiana 70112
Telephone: 504/ 522-0155

ATTORNEYS FOR PLAINTIFFS

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE DIET DRUGS (PHENTERMINE/FENFLURAMINE DEXFENFLURAMINE) PRODUCTS LIABILITY LITIGATION

MDL Docket No. 1203

**CATHY CHERAMIE,
BRIDGETTE KETCHENS, ET AL**

CIVIL ACTION No. 02-20131

VERSUS

AMERICAN HOME PRODUCTS, ET AL

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Plaintiffs Memorandum in Opposition for Summary Judgment, Statement of Material Facts, and accompanying Affidavits, have been served on the following via United States Mail on the following 15th day of April, 2005.

05. 

SUSAN EARNEST

Edward W. Madeira, Jr.
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McDermott, Will & Emery
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Mr. John J. Disimone, III
Plaintiffs' Management Committee
Diet Drugs Product Liability Litigation
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Leake, Anderson & Mann, L.L.P.
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New Orleans, LA 70163

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Irwin & Fritchie
400 Poydras Street, Suite 2700
New Orleans, LA 70130

Jason Cashio
Kean, Miller, Hawthorne, D'Armond, McCowan & Jarman, L.L.P
22nd Floor, One American Place
P.O. Box 3515
Baton Rouge, Louisiana 70821-3513

W. Luther Wilson
Brooks & Phillips, L.L.P.
Post Office Box 2471
Baton Rouge, Louisiana 70821

Ann Koppel
Kyle Potts
Adams & Reese, L.L.P.
4500 One Shell Square
New Orleans, Louisiana 70139

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE DIET DRUGS
(PHENTERMINE/FENFLURAMINE/
DEXFENFLURAMINE) PRODUCTS
LIABILITY LITIGATION**

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) **MDL Docket No. 1203**
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**CATHY CHERAMIE,)
BRIDGETTE KETCHENS, ET AL.**)

CIVIL ACTION NO. 02-20131

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VERSUS)
)

)
AMERICAN HOME PRODUCTS,)
ET AL.)

PRETRIAL ORDER NO. _____

AND NOW, TO WIT, this _____ day of _____, 2005, upon consideration of Wyeth's Motion for Summary Judgment and Wyeth's alternative Motion for Dismissal under Federal Rule of Civil Procedure 17(a), and Bridgette Ketchens' Memorandum in Opposition to Wyeth's Motion for Summary Judgment and Dismissal under Federal Rule of Civil Procedure 17(a),

IT IS ORDERED that Wyeth's Motion for Summary Judgment and Wyeth's alternative Motion for Dismissal under Federal Rule of Civil Procedure 17(a), is DENIED.

SO ORDERED.

HON. HARVEY BARTLE, III